



This pdf is the disclosures for the TriMet background check. Please read. The other pdf contains the forms you'll sign and upload.

Please refer to the onboarding guide if you have any questions.
(uzurv.com/trimet-onboarding-guide)

Or reach out to driversuccess@uzurv.com.

CRIMINAL RECORDS AND BACKGROUND CHECK DISCLOSURE PACKET

All Applicants must:

- ✓ Read this packet **carefully**.
- ✓ **Ask questions** of your employer or TriMet staff if necessary before forms are completed.
To contact TriMet staff, please call 503-962-8230
- ✓ **Review and sign Form A.**
- ✓ **Complete and sign Form B.**

All persons who apply for safety-sensitive positions including transporting customers must pass a criminal records and background check to qualify to provide transportation for TriMet's Accessible Transportation Programs (ATP) .

Please read the attached documents then sign the TriMet Criminal Records Check Authorization Forms A&B. **Failure to authorize a criminal background check will disqualify you from transporting TriMet's ATP customers.**

Attached are the following documents and forms:

1. Instructions for Completing Forms
2. TriMet's Criminal Records Policy, which includes a list of criminal offenses that may disqualify a person from becoming eligible. (Attachment A).
3. Your Right to Review or Dispute Criminal Background Check Information (Attachment B).
4. A Summary of Your Rights Under the Fair Credit Reporting Act - FCRA (Attachment C)
 - explains the intent of and your rights under Oregon Revised Statutes (ORS) 181.537 and 267.237;
 - notifies you that you are authorizing release of information pursuant to the Fair Credit Reporting Act;
5. TriMet Consent Form A - explains the procedure for determining qualification to provide transportation services for ATP;
6. TriMet Authorizat on Form B - authorizes TriMet to obtain a criminal background check report based on your fingerprints collected by a TriMet approved vendor.

Instructions for Completing Forms

Disclose All History. You must disclose your complete criminal history. This includes convictions of or guilty and no-contest pleas to felonies and misdemeanors, probation violations, and failures to appear. Be certain to list date(s) (approximate if necessary) and locations for each conviction. **If you fail to disclose any portion of your criminal records history, you will be disqualified from transporting ATP customers.**

Traffic-Related Offenses. Certain traffic offenses can result in a felony or misdemeanor conviction. If you have been convicted of, or plead guilty or no contest to such a traffic-related offense, you must disclose it.

Old Offenses. If you have history that you believe should have been “expunged” or removed from your record, but you do not **know** that it was expunged or removed, you should disclose it.

Current Charges/Awaiting Prosecution. If you are currently awaiting prosecution (waiting for trial) for a crime, which, if convicted, would disqualify you, you must disclose the nature of the charges. TriMet will not allow such persons to provide services without supervision until the charges are resolved. You must provide TriMet with information about the outcome of the charges or the trial as soon as that information is available.

Additional Information. If you wish to give more information about your conviction, you may attach additional pages with that information. Please do at least the following:

- Describe the circumstances that gave rise to your arrest or conviction.
- Describe what actions you were required to take or that were taken against you because of the conviction (for example, did you serve probation, did you pay restitution, did you make an agreement that reduced the charge or resulted in the charges being dismissed, etc.?)
- Describe any treatment, counseling, rehabilitation (drug or alcohol), training, education or other program(s) that were required because of your arrest or conviction.

Disqualifications. TriMet’s Criminal Records Policy (see Attachment A) contains a complete list of the criminal offenses that will disqualify a person from transporting ATP customers. However, a person also will be disqualified for:

- Failing to disclose past crimes or convictions, or current charges;
- Misrepresenting crimes, convictions or background; or
- Giving any misleading information to TriMet.

Appeals. If TriMet disqualifies you from transporting ATP customers, you may have the right to appeal that determination. If you are disqualified you will receive an Appeals Procedure packet that includes an explanation of your appeal rights. However, you **will not have appeal rights** if you were disqualified because:

- You failed to disclose any past criminal conviction.
- You gave misleading information on your disclosure.
- Your crime is one that falls under certain categories listed in Attachment A.

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TriMet Criminal Records Policy

Criminal Offenses that Affect Qualification for Employment or Contract Service

Criminal offenses that affect employment are convictions for crimes committed in any jurisdiction against persons, public safety, property or life. Criminal offenses will disqualify the person from hire, continued employment, or providing transport services for specified periods of time. In determining fitness for hire, continued employment or provision of TriMet service, TriMet or its designee will consider:

- the nature of the crime
- the facts that support the conviction or pending indictment or that indicate a false statement
- the relevancy of the crime or false statement to the position requirements
- intervening circumstances which are relevant to the responsibilities and circumstances of the position (examples include the passage of time, age at time of commission, restitution, likelihood of recurrence, subsequent commission of another relevant crime, or an employer's recommendation)

For offenses against property, offenses involving fraud and deception, and offenses involving controlled substances, illegal drug cleanup, paraphernalia or precursors, the General Manager may consider mitigating circumstances or other information in making exceptions to the general guidelines set forth below.

General Guidelines are listed on the chart below. Time Frame to Consider (column 3) begins with the date of conviction.

General Guidelines Crimes Affecting Fitness for Employment		
Type of Offense	Class of Offense	Time Frame to Consider
Offenses against persons*	Class A felony Class B or C felony Class A, B or C misdemeanor	forever 15 years 10 years
Offenses against property	Class A felony Class B or C felony Class A, B or C misdemeanor	15 years 10 years 5 years
Offenses involving fraud or deception	Class C felony Class A, B or C misdemeanor	10 years 5 years
Offenses against public order; firearms and other weapons; racketeering*	Class A felony Class B or C felony Class A, B or C misdemeanor	15 years 10 years 5 years
Offenses against public health, decency, and animals*	Class A felony Class C felony Class A, B or C misdemeanor	15 years 10 years 5 years
Controlled substances, illegal drug cleanup, paraphernalia, precursors	Class A felony Class B or C felony Class A, B or C misdemeanor	15 years 10 years 5 years
All other crimes under Oregon Revised Statutes (ORS)	Class C felony Class A, B or C misdemeanor Traffic Crime	10 years 5 years
NOTE: Failure to disclose a conviction of a criminal offense or crime will result in disqualification from employment.		
* For offenses marked by an asterisk, the General Manager will not make exceptions to the <i>General Guidelines</i> set forth above.		

TRIOMET

Your Right to Review or Dispute Criminal Background Check Information

TriMet Information:

You are entitled to review your Oregon criminal offender record maintained by TriMet, after positive identification has been made.

OSP, FBI or Consumer Reporting Agency Information:

If you believe that criminal offender information is inaccurate or incomplete, you must request a review with the source of the information:

Oregon State Police OSP procedures adopted under ORS 181.555(3) give the individual the right to inspect, challenge and correct his own criminal offender information. A written request for review, with proof of identity (name, date of birth, and rolled ink fingerprints) is required within 15 calendar days. Mail or deliver the request to:

Oregon State Police
CJIS Division Section
3565 Trelstad Ave SE
Salem, OR 97317

The OSP division and the person will have a pre-hearing meeting to review information and determine the need for a hearing.

Federal Bureau of Investigation. Under federal law, an individual can challenge the report, but cannot review or obtain a copy of the actual FBI record. To challenge the accuracy or completeness of any entry obtained from an FBI criminal records check, file a challenge with:

Assistant Director
FBI Identification Division
Washington, DC 20537-9700

Oregon Judicial Information Network (OJIN). If confirmation of Oregon conviction(s) was obtained through the public records available from OJIN, you may request a copy of the record from TriMet. TriMet will charge a fee for photocopying the record. To challenge the accuracy or completeness of an OJIN record, contact the county or local Oregon court where the record was filed.

Consumer Reporting Agency. If criminal background information was obtained through a consumer reporting agency see *A Summary of Your Rights under the Fair Credit Reporting Act* (Attachment C). TriMet will provide you with the name and contact information of any consumer reporting agency that provided information about you. You may contact that agency directly to question the information.

A Summary of Your Rights Under the Fair Credit Reporting Act

The federal Fair Credit Reporting Act (FCRA) is designed to promote accuracy, fairness, and privacy of information in the files of every consumer reporting agency (CRA). Most CRAs are credit bureaus that gather and sell information about you to creditors, employers, landlords, and other businesses.

Provisions of FCRA most commonly implicated by background checks are summarized below. However, you should refer specifically to the Act to review all its provisions. You will find the complete text of the FCRA, 15 U.S.C. 1681–1681u, at the Federal Trade Commission’s web site (<http://www.ftc.gov>). You may have additional rights under state law. If you have questions about your rights under federal or state law, you should contact a state or local consumer protection agency, a state attorney general, or your own attorney to learn those rights.

- **You must be told if information in your file has been used against you.** If information about you was obtained through a CRA, then anyone who uses information from a CRA to take action against you — such as denying an application for credit, insurance, or employment — must tell you and must give you the name, address, and phone number of the CRA that provided the consumer report.
- **You can find out what is in your file.** At your request, a CRA must give you the information in your file and a list of everyone who has requested it recently. There is no charge for the report if a person has acted against you because of information supplied by the CRA, provided you request the report within 60 days of receiving notice of the action. You also are entitled to one free report every twelve (12) months upon request, and the report must be provided to you within fifteen (15) days of the date that the CRA receives your request. Otherwise, a CRA may charge you a fair and reasonable fee for providing a report, which fee may not exceed nine dollars (\$9.00).
- **You have a right to know your credit score.** Credit scores are numerical summaries of a consumer’s creditworthiness based on information from consumer reports. For a fee, you may get your credit score. For more information, click on www.ftc.gov/credit. In some mortgage transactions, you will get credit score information without charge.
- **You can dispute inaccurate information with the CRA.** If you tell the CRA that your file contains inaccurate information, the CRA must investigate the items (usually within 30 days) by presenting to its information source all relevant evidence you submit, unless your dispute is frivolous. The source must:
 - ▶ review your evidence and report its findings to the CRA
 - ▶ advise national CRAs to which it has provided the data of any error
 - ▶ give you a written report of the investigation and a copy of your report, if the investigation results in any change

If the CRA investigation does not resolve the dispute, you may add a brief statement to your file. The CRA must normally include a summary of your statement in future reports. If an item is deleted or a dispute statement is filed, you may ask that anyone who has recently received your report be notified of the change.

- **Inaccurate information must be corrected or deleted.** A CRA must remove or correct inaccurate or unverified information from its files, usually within 30 days after you dispute it. However, the CRA is not required to remove accurate data from your files unless it is outdated (see below) or cannot be verified.
- If your dispute results in any change to your report, the CRA cannot reinsert a disputed item into your file unless the information source verifies its accuracy and completeness. In addition, the CRA must give you a written notice telling you that it has reinserted the item. The notice must include the name, address and phone number of the information source.
- **You can dispute inaccurate items with the source of the information.** If you tell anyone, such as a creditor who reports to a CRA, that you dispute an item, that entity may not then report the information to a CRA without including a notice of your dispute. In addition, once you have notified the source of the error in writing, it may not continue to report the information if it is, in fact, an error.
 - **A CRA may not report outdated information.** In most cases, CRA may not report negative information that is more than seven years old (ten years for bankruptcies). *[Note: Time limits that apply to third party agencies and which, therefore, fall under the FCRA, do not apply to law enforcement agencies.]*
 - **Access to your file is limited.** A CRA may provide information about you only to people with a need recognized by the FCRA — usually to consider an application with a creditor, employer, landlord, or other business.
 - **Your consent is required for reports that are provided to employers or for reports that contain medical information.** A CRA may not give information about you to your employer or a prospective employer without your written consent. A CRA may not report medical information about you to creditors, insurers, or employers without your permission.
 - **You may choose to remove your name from consumer reporting agency lists for unsolicited credit and insurance offers.** These offers must include a toll-free phone number you can call if you choose to take your name and address off lists in the future.
 - **You may seek damages from violators.** If a CRA, a user, or (in some cases) a provider of CRA data violates the FCRA, you may sue that person or entity in state or federal court.

Identity theft victims and active duty military personnel have additional rights. Victims of identity theft have new rights under the FCRA. Active-duty military personnel who are away from their regular duty station may file “active duty” alerts to help prevent identity theft. For more information, visit www.ftc.gov/credit.

A Summary of Your Rights Under the Fair Credit Reporting Act (continued)

The FCRA gives several federal agencies authority to enforce the FCRA. To complain and/or for information, please contact:

1. Consumer reporting agencies, creditors and others not listed below:

Federal Trade Commission
Consumer Response Center - FCRA
Washington, DC 20580 1-877-382-4367 (Toll-Free)

2. National banks, federal branches/agencies of foreign banks (word "National" or initials "N.A." appear in or after bank's name):

Office of the Comptroller of the Currency
Compliance Management, Mail Stop 6-6
Washington, DC 20219 800-613-6743

3. Federal Reserve System member banks (except national banks, and federal branches/agencies of foreign banks):

Federal Reserve Board
Division of Consumer & Community Affairs
Washington, DC 20551 202-452-3693

4. Savings associations and federally chartered savings banks (word "Federal" or initials "F.S.B." appear in federal institution's name):

Office of Thrift Supervision
Consumer Programs
Washington, DC 20552 800-842-6929

5. Federal credit unions (words "Federal Credit Union" appear in institution's name):

National Credit Union Administration
1775 Duke Street
Alexandria, VA 22314 703-518-6360

6. State-chartered banks that are not members of the Federal Reserve System:

Federal Deposit Insurance Corporation
Division of Compliance & Consumer Affairs
Washington, DC 20429 800-934-FDIC

7. Air, surface, or rail common carriers regulated by former Civil Aeronautics Board or Interstate Commerce Commission:

Department of Transportation
Office of Financial Management
Washington, DC 20590 202-366-1306

8. Activities subject to the Packers and Stockyards Act, 1921:

Department of Agriculture
Office of Deputy Administrator - GIPSA
Washington, DC 20250 202-720-7051